The bill was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is on passage of H.R. 4173, as amended.

Mr. DURBIN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. BYRD), and the Senator from Pennsylvania (Mr. SPECTER) are necessarily absent.

The PRESIDING OFFICER (Mr. UDALL of New Mexico). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 59, nays 39, as follows:

[Rollcall Vote No. 162 Leg.]

YEAS—59

Akaka	Gillibrand	Murray
Baucus	Grassley	Nelson (NE)
Bayh	Hagan	Nelson (FL)
Begich	Harkin	Pryor
Bennet	Inouye	Reed
Bingaman	Johnson	Reid
Boxer	Kaufman	Rockefeller
Brown (MA)	Kerry	Sanders
Brown (OH)	Klobuchar	Schumer
Burris	Kohl	Shaheen
Cardin	Landrieu	Snowe
Carper	Lautenberg	Stabenow
Casey	Leahy	Tester
Collins	Levin	Udall (CO)
Conrad	Lieberman	Udall (NM)
Dodd	Lincoln	Warner
Dorgan	McCaskill	Webb
Durbin	Menendez	Whitehouse
Feinstein	Merkley	Wyden
Franken	Mikulski	

NAYS—39

Alexander	Crapo	LeMieux
Barrasso	DeMint	Lugar
Bennett	Ensign	McCain
Bond	Enzi	McConnell
Brownback	Feingold	Murkowski
Bunning	Graham	Risch
Burr	Gregg	Roberts
Cantwell	Hatch	Sessions
Chambliss	Hutchison	Shelby
Coburn	Inhofe	Thune
Cochran	Isakson	Vitter
Corker	Johanns	Voinovich
Cornyn	Kyl	Wicker

NOT VOTING—2

Byrd	Specter

The bill (H.R. 4173), as amended, was passed.

Mr. DODD. Mr. President, I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. Under the previous order, the title amendment which is at the desk, is agreed to.

The amendment (No. 4172) is as follows:

Amend the title so as to read:

''A bill to promote the financial stability of the United States by improving accountability and transparency in the financial system, to end ''too big to fail'', to protect the American taxpayer by ending bailouts, to protect consumers from abusive financial services practices, and for other purposes.''

The bill (H.R. 4173), as amended, will be printed in a future edition of the RECORD.

The PRESIDING OFFICER. The Senate insists on its amendments and requests a conference with the House of Representatives on the disagreeing votes of the two Houses.

Mr. DODD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DODD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. DODD. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business, with Senators allowed to speak for up to 10 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DODD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

CUBAN INDEPENDENCE DAY

Mr. NELSON of Florida. Mr. President, I rise to commemorate the 108th anniversary of Cuba's independence. On May 20, 1902, after a long and bitter struggle, the people of Cuba established a democratic Republic. Today, the Cuban people are again fighting for democratic change and independence in their homeland.

On this day, we honor Orlando Zapata Tamayo, who died this year after a prolonged hunger strike while protesting his inhumane treatment at the hands of the Cuban prison authorities. We stand in solidarity with the Ladies in White, including Zapata Tamayo's mother Reina Luisa Tamayo, who through their quiet dignity, continue to call the world's attention to the arrests of their fathers, husbands, and brothers for exercising free speech and daring to challenge the regime. We also recognize the contributions of Cuba's journalists, bloggers, and activists, who undertake great personal risk to tell the world about the realities of life in Cuba.

The legacy of Cuban independence endures with these heroes past and present, who fight against the forces of repression and totalitarianism for the promise of a free and democratic society. Now more than ever, the U.S. and the international community must press the Cuban regime to free all political prisoners. On behalf of the people of Florida and all Americans, we stand in solidarity with the Cuban people in their struggle in the hope that one day freedom of expression and basic liberty are possible in Cuba without the fear of persecution.

U.S.-JAPAN COOPERATION ON NUCLEAR POWER

Mr. ALEXANDER. Mr. President, as the U.S. Ambassador to Japan Mike Mansfield once said, ''the U.S.-Japan relationship is the most important bilateral relationship in the world, bar none.''

About a month ago, China Daily ran an article in which they compared the United States' nuclear program to Rip Van Winkle, the legendary American folk hero who fell asleep for 20 years after a night of carousing with Henry Hudson's men in the Catskill Mountains. ''A thunder from China has woken up Uncle Sam, like Rip Van Winkle, from a 20-year nap, to a different world,'' boasted the China Daily article. ''This world is in the midst of a Green Revolution. It is the biggest sea change since the Industrial Revolution, and Uncle Sam has slept too long to take the lead in this new movement.''

I am not sure that this is really the case, but the point in well taken. Out of fear and mistrust, and after a few bad accidents, the U.S. 30 years ago decided to put aside construction of new nuclear powerplants. Our domestic nuclear industry still kept plodding along, learning to operate the plants we had more efficiently and trying to sell new plants abroad. But overall we atrophied. Our nuclear construction capabilities withered while other countries' capabilities flourished. And so here we are, 30 years later, with a much smaller nuclear industry that is missing critical parts, like the ability to manufacture the largest components.

Meanwhile the rest of the world kept moving forward. And recently, we have started seeing something new—the entrance into the nuclear market by countries that are considered low-cost manufacturers, like China and South Korea.

When China recently bought Westinghouse AP1000 reactors from Toshiba, they insisted on getting all the engineering specifications as well. It is no secret what they are planning. They are going to reverse-engineer the reactor and come up with their own design. In another 5 years, don't be surprised to see the Chinese marketing their own reactors around the world. Also look what Korea has accomplished. Before 1996 they only built imported reactors in Korea, from companies like Westinghouse and Areva. Then they took an old design from Combustion Engineering, an American company, and came up with the APR1400. Last year the Koreans shocked the world by beating out Areva and Westinghouse for a $20 billion contract to build four new reactors in the United Arab Emirates. What is going to happen when China enters this market? I suspect in 20 years the Chinese will be selling nuclear reactors in Wal-Mart.

Now there are two ways of looking at this. One is to say this is a world of cutthroat competition and that if

China wins then Japan and the United States and everyone else must lose as well. That is one interpretation. But the other way to look at it is to say we are all improving each other's game and that all this competition helps turn us all into better players.

And that is where international competition helps. If other countries start making progress in a technology, we soon realize we had better emulate them. We saw this with the auto industry. There was a time when America's big three—Ford, Chrysler and General Motors seemed invincible in a way nothing could ever change. Each year they competed to see who could put the biggest tailfins on their new models and nobody ever gave a thought to quality control or gas mileage or whether the car would fall apart after 50,000 miles.

Then these strange new companies named Toyota and Datsun and Honda started to enter the market. Their cars weren't all that stylish but they were small and efficient, got good gas mileage, and ran like tops. You didn't have to ''fix or repair daily,'' as they used to say about Ford products. And some people bought them. But they still didn't rival the big American manufacturers. Then the oil crisis arrived and all of a sudden those cars that could get 30 miles to the gallon started to look awfully good.

Well, you know the rest of the story. Toyota recently passed General Motors as the largest car company in the world. GM is in Federal receivership. Half the cars sold in America are made by foreign companies. But of course the traffic flows the other way as well. Nissan will be building its new all-electric Leaf in my home state of Tennessee and we are very happy to have them as a good corporate neighbor.

There is a certain irony to all this as well. A lot of the concern for maintaining quality that made Toyota and Honda and Nissan such great companies came from a man named W. Edwards Deming, a college professor who developed a lot of ideas in the 1950s about maintaining quality in manufactured products. Deming never attracted much attention in this country but he found a receptive audience in Japan. This led to the tremendous emphasis on quality that made Toyota and other car companies such a huge success. It wasn't until NBC ran a documentary in 1980 entitled ''If Japan Can, Why Can't We?'' that Americans became aware of what Deming had done for Japanese manufacturing. One of the first American companies to turn to him for advice was Ford Motors. That is one of the reasons why Ford has now gone from the old ''Fix or Repair Daily'' to become what is arguably America's strongest auto competitor.

So we have taught each other a lot about auto manufacturing. Now what can we learn from each other about nuclear power?

Well, the first thing to note, I think, is that while China gets 2 percent of its electricity from nuclear and America gets 20 percent, Japan gets 30 percent. In terms of shifting to nuclear, Japan is ahead of us. At the same time, the U.S. still leads all countries with 104 operating commercial reactors, one-fourth the world's total. That great building spree from 1970 to 1990, when we constructed about 100 reactors in 20 years, still stands us in good stead. But it isn't going to last forever. There are now 55 reactors under construction around the world in 13 different countries, including one in Japan with four more likely to start. Meanwhile, American reactors are aging fast and we are just getting ready to break ground on our first new reactor in 30 years. By the way, I should mention that South Korea leads both our countries with 35 percent of its electricity from nuclear.

One place where Americans can feel proud is the way we run our reactors. The entire industry now operates at 90 percent capacity. That means reactors are up and running more than 90 percent of the time. Many of them now go for almost 2 years without shutting down. And when they do shut down it is for refueling, which used to take 3 months and is now done in only 5 weeks. We have learned a lot about efficiency and quality control and getting things done on time. Japan runs its fleet at 75 percent capacity and France is just behind us at 85 percent. But that is a special case. The French are now the world's biggest net exporters of electricity and still have so much nuclear capacity that they often close down their reactors for the weekend. You know how much the French like their weekends. Once again, though, I have to note the Koreans are running their reactors at 95 percent, so we all have something to learn there. We have figured out how to run reactors efficiently and ultimately that means cheaper.

We also run our reactors safely. Since the Three Mile Island Incident we have improved our safety record and reduced risk at our nuclear reactors. The American nuclear industry is proud to say that there has never been a death from a nuclear incident at an American reactor. We have learned that safe does not have to equal expensive.

What about new technologies? Our Secretary of Energy, Stephen Chu, has recommended that the United States find a niche in mini-reactors, the so-called ''nuclear batteries.'' He's willing to concede that the Japanese and the French and the Koreans and possibly the Chinese will effectively compete against us for sales of large traditional reactors. But maybe we can specialize in these 25-to-300-megawatt reactors that can be assembled at the factory and shipped to the site where they are put together like Lego blocks.

I think mini-reactors are a great idea. You could power a whole town of 20,000 people with something that could be buried 60 feet underground and refueled every 30 years. But I wonder how quickly we are going to be able to move into this market? It's taking us 5 years to get a design approval through the Nuclear Regulatory Commission. The NRC has told one manufacturer they do not even have time to consider small reactors because they are so involved in looking at big ones. If there is real money to be made in the field of mini-reactors, won't other countries jump in well before we do? Toshiba already has a model they are offering to isolated Alaskan villages. The Russians have one they are barging into Siberian villages. We had better get going or we will be left behind there as well.

One area in which nearly everyone seems to be progressing is fuel reprocessing. The United States gave up reprocessing in this country in the 1970s. In retrospect, I think that it was a mistake. We thought we were saving the world from nuclear proliferation. It was a noble experiment, but it wasn't very practical. We thought if we didn't isolate plutonium in this country nobody else would be able to figure out how to manufacture it and rogue nations wouldn't be able to acquire nuclear weapons. Well, North Korea has developed a nuclear weapon and they didn't do it by stealing American or someone else's—plutonium. They simply built their own reactor and manufactured weapons themselves. Iran is doing the same thing with enriched uranium. Nuclear technology is no secret anymore. Controlling nuclear proliferation is going to be a diplomatic task, not a technological one.

While America has hung back from reprocessing, however, Japan and other countries have forged ahead. The Japanese have been burning excess plutonium in mixed oxide MOX fuel at several reactors. Now they have built the world's first reactor designed specifically to burn MOX fuel, at Hokkaido. The French do the reprocessing and the first boatload of MOX fuel just made it back to Japan from France without being hijacked by rowboats from Greenpeace. This is all plutonium that will never find its way into nuclear weapons.

In the U.S., we have been turning swords into ploughshares. In an agreement struck in 1996 by Senators Sam Nunn, Pete Domenici and RICHARD LUGAR, the United States has been purchasing enriched uranium from Soviet weapons stocks and blending it down for use in American nuclear reactors. Half our reactor fuel now comes from the program, meaning 1 out of every 10 lightbulbs in America is lit by a former Soviet weapon.

Another place where America remains on the cutting edge is in basic research. We have designed generation III reactors, which are much more simplified and oriented toward safety. Now we are looking for a fourth generation of reactors that will make reprocessing much easier. One of the ideas on the drawing board is the ''Traveling Wave'' reactor, which will consume its own waste and burn for up to twenty years

without refueling. America's favorite innovator, Bill Gates, has invested in a company that is exploring the Traveling Wave. If Bill Gates is embracing nuclear, I think it's safe to say America will soon be back in the game.

But we need to continue our commitment to basic science research. We must rebuild our industrial capacity and continue producing a skilled workforce for the future. We need to start building new reactors in America and we need to bring the next generation of reactors to market to recognize the benefits of full-recycling. It all starts with learning from our experience and the experience of other nations like Japan.

So these two nations as well as others—are prepared to move forward together in the great nuclear renaissance that is sweeping the world. Japan is on the cutting edge of reactor construction and reprocessing technology and I hope we will soon be able to join them by expanding our own nuclear fleet and adding our research capabilities. We have come a long, long way in 70 years since the closing day of World War II when scientists unlocked the energy buried at the heart of the atom. Nuclear power has since been used for threats, it has been used for destruction, and it has been used to frighten humanity into confronting the idea that we might be capable of destroying ourselves and the planet along with us. But I think right now we can safely say that these two nations are poised on the edge of an era of cooperation when we will turn the benefits of nuclear power to the greater good of all mankind.

ADDITIONAL STATEMENTS

TRIBUTE TO NIEL ELLERBROOK

● Mr. BAYH. Mr. President, on behalf of myself and Senator LUGAR, I would like to bring to the Senate's attention the service of Niel Ellerbrook, who is retiring as chief executive officer of Evansville-based Vectren Corporation after more than 30 years of service with the company and its predecessor. Mr. Ellerbrook's accomplishments as a business leader in Indiana are well documented and too numerous to mention. Suffice it to say, Niel has been a strong and positive force for change in the State for many years. He successfully engineered the merger between two utility companies and built the resulting company Vectren Corporation into one of Indiana's largest publically traded corporations with more than 3,700 employees and operations encompassing half of the United States. Under Niel's leadership, Vectren has embarked on an impressive campaign to provide consumers cleaner energy and cost-saving energy conservation programs all of which have become models for others in the industry to follow.

Niel's business acumen tells only a part of the story, however. The son of a minister and elementary schoolteacher, Niel was born into a household that put a premium on sacrifice and doing for others. Niel's generous commitment of time and resources to civic endeavors in Evansville has benefited untold numbers of Hoosiers. Niel is an active supporter of the United Way and devotes significant energies toward education serving as chairman of the board of trustees at the University of Evansville, on the board of Signature Learning Center in Evansville, and as cochair, with his wife Karen, of the fundraising campaign that led to the opening of the Koch Children's Museum of Evansville in 2006.

Born in Rensselaer, growing up in Franklin and graduating from Ball State University, Niel is a born-and-bred Hoosier success story. Fortunately for us Hoosiers, he decided to remain in the State and place his significant mark on the history of Indiana business and civic leadership.

Speaking for my colleague Senator LUGAR, I can say how fortunate we are to call Niel a friend.

It is with great appreciation that Senator LUGAR and I congratulate Niel Ellerbrook on his remarkable career, and wish him and his wife Karen the very best in their future endeavors together.●

50TH ANNIVERSARY OF BALTIMORE HERITAGE, INC.

● Mr. CARDIN. Mr. President, today I wish to pay special tribute to Baltimore Heritage, Inc. as it celebrates its 50th anniversary. Baltimore Heritage, Inc.—BHI—is beginning its fifth decade of service to Baltimore City. BHI was founded in 1960 by leaders of the Baltimore business and cultural community, including members of the Greater Baltimore Committee, the Maryland Historical Society, the Peale Museum, and the Junior Chamber of Commerce. For decades, the organization has effectively advocated for actions and broader policies that protect the city's irreplaceable historic buildings and neighborhoods.

BHI works in three primary areas: education, planning and advocacy, and technical assistance. Its education programs seek to involve people and promote the city's heritage. To further that effort, it conducts monthly guided tours of historic sites, spring walking tours, a fall history lecture, and a reception to recognize the best historic preservation projects.

Through its planning and advocacy work, BHI has helped preserve city landmarks and develop strategies to use Baltimore's historic buildings and neighborhoods as the basis for economic growth. Some successes include: reversing plans to demolish the historic buildings surrounding Mt. Vernon Place; saving the City Hall dome; and establishing the Baltimore City Commission for Historical and Architectural Preservation, CHAP, which has gone on to help designate more than 60 local and national neighborhood historic districts and achieve protected landmark status for more than 100 historic structures, parks, and monuments. BHI was a partner in blocking the extension of I–83 through Fells Point and Canton and in preserving and reusing Camden Station and Camden Warehouse as integrated parts of the new downtown ballpark.

Baltimore Heritage leaders also were partners with Preservation Maryland in crafting and advocating for an alternative proposal for revitalizing the West Side of Baltimore's downtown—an alternative that proved the feasibility and great economic potential of integrating, rather than demolishing, the district's historic structures. This alternative plan now serves as the guideline for the city's official redevelopment plan for this important downtown district.

I ask my colleagues to join me in applauding Baltimore Heritage for its dedication to showcasing our rich historic and cultural heritage. Baltimore is one of our Nation's most historic cities, and Baltimore Heritage, Inc. understands the importance of preserving the past while building for the future. To paraphrase Sir Christopher Wren's epitaph, ''If you seek Baltimore Heritage's monument, look around you.''●

RECOGNIZING ALCOM, INC.

● Ms. SNOWE. Mr. President, next week marks National Small Business Week, a time when we honor our Nation's entrepreneurs and the tremendous accomplishments they have made. As small business owners and advocates from across America gather in Washington, DC, for several days of events, among that group will be two Mainers who have earned the U.S. Small Business Administration's prestigious 2010 Maine Small Business Persons of the Year award. Today I wish to recognize Trapper Clark and Tom Sturtevant, the president and corporate vice president, respectively, of Alcom, Inc., a major manufacturer of aluminum trailers located in the town of Winslow.

Alcom got its start in 2006 when Trapper Clark opened the firm in 8,000 square feet of space at the historic Wyandotte Mill in Waterville. Trapper, a graduate of the University of Maine, had previously worked for aluminum sport and utility manufacturer SnoPro, giving him a deep familiarity with the industry and how it operates. When he decided to open his own small business, he approached Tom, his stepfather who had been retired for a decade, to help get his company off the ground. Mr. Sturtevant is an entrepreneur in his own right, having founded Gazelle Products—the third-largest fiberglass-canoe manufacturer in the country when he sold it in 1990—and Benton Plastics—the third-largest manufacturer of plastic bed liners in the world when he sold the firm in 1994. Clearly,